

Hyde, Martin, Paschal, Rains Scarborough, Schleicher, Townes, Walker and Whaley—14.

The President voted nay—1—15.

Mr. Herbert moved to refer to committee on the Judiciary.

Mr. Hart moved to lay the motion on the table. Carried.

Mr. Hyde moved to reconsider the vote which refused to refer to committee on Printing, pending which Mr. Lott, moved to adjourn until 10 o'clock, Monday morning. Lost.

Mr. Herbert moved to adjourn until 1-2 past 9 o'clock, on Monday morning. Lost by the following vote :

YEAS — Messrs. Duggan, Guinn, Herbert, Hyde, Lott, Rainey, Sims and Townes—8.

NAYS—Messrs. Blanch, Britton, Chambers, Dickinson, Erath, Gentry, Grimes, Harman, Hart, Martin, Parsons, Paschal, Pitts, Potter, Quinan, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—23.

The question recurring on the reconsideration of the vote which refused to refer to the committee on Printing, was taken and carried by the following vote :

YEAS—Messrs. Blanch, Chambers, Dickinson, Duggan, Guinn, Harman, Herbert, Hyde, Lott, Parsons, Pitts, Potter, Quinan, Rainey, Shepard and Stockdale—16.

NAYS—Messrs. Britton, Gentry, Grimes, Hart, Martin, Paschal, Rains, Scarborough, Schleicher, Throckmorton, Townes and Whaley—12.

On motion of Mr. Townes, the Senate adjourned until 5 minutes to 10 o'clock, Monday morning.

MONDAY, January 30th, 1860.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Stockdale, chairman of the committee on Enrolled Bills, made the following reports :

The committee on Enrolled Bills, have examined the following bills, viz :

A bill to legalize the marriage of C. B. & M. E. Wood.

A bill for the relief of Andrew Mason assignees of Robert N. Andrews.

A bill to incorporate the German English School of San Antonio.

A bill for the relief of John Hearn.

A bill to amend an act to incorporate the Payne Female Institute. They found the same correctly enrolled, properly signed and they this day presented the same to the Governor.

Mr. Hart, chairman of the select committee on the location of a branch of the State Penitentiary, made the following report :

The select committee to whom was referred a bill to locate a branch of the State Penitentiary, have had the same under consideration and a majority of said committee have instructed me to report the bill back to the Senate and recommend its passage. From the report of the superintendent of the Penitentiary, the committee are satisfied that a new addition of the Penitentiary, must be made or a branch located. We therefore believe that 250 or 300 are as many convicts as can be profitably employed at one place, and by locating a branch, it would save a very considerable amount of money to the State in the preventing the expense of transporting convicts to so great a distance as now has to be done, from the extreme border of our State. In selecting Jefferson the most important commercial point in Eastern Texas, we believe the branch could be located with as much advantage to the State as perhaps any other place in the State. This is a populous and wealthy portion of the State possessing many advantages. That of navigation a greater portion of the year for the transportation of machinery, and other necessary articles of use as well as exports, can not be too highly prized, there is also an abundance of cotton, raised in its vicinity, as well as the only Iron Foundry in the State. In the upper counties of Hopkins and Hunt there is a plenty of wool grown that can be obtained at all times and on reasonable terms for manufacture, and it is believed that materials and labor for the construction can be obtained at this point for one-third less than any other important places in the State, provisions could always be procured here at reasonable prices, being contiguous to, and the centre of the great wheat region of Texas, where the best fresh flour can be had at all times.

There is also at this point two of the most extensive beef packing establishments not only in Texas, but is believed of the southern States, and it is shortly destined to be a commercial and manufacturing place of which Texas may well be proud. These are some of the reasons which have induced the committee in recommending the location of the branch Penitentiary at this place. It is only intended to locate a branch at this time and procure the land for such location for the present, and leave the next legislature to provide for its construction.

Mr. Hyde, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of Daniel Hopkins, reported the same to the Senate and recommended its passage.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported a bill granting a pension to Charles Shepard, correctly enrolled, properly signed and the same this day presented to the Governor.

Mr. Townes introduced a bill to incorporate the Texas Insurance Company. Read 1st and 2nd times and referred to the committee on the Judiciary.

Mr. Townes presented the petition of Theo. Kohlhoss for land. Referred to the committee on Private Land Claims.

Mr. Townes introduced a bill for the relief of Theo. Kohlhoss. Read 1st and 2nd times and referred to the committee on Private Land Claims.

Mr. Potter introduced a bill reserving all forfeited lands from location and to provide for the sale of the same. Read 1st and 2nd times and referred to the committee on Public Lands.

Mr. Harman introduced a bill for the relief of William B. Green. Read 1st and 2nd times and referred to the committee on Private Land Claims.

Mr. Duggan introduced the following resolutions :

Whereas, there are really only two great political parties in the Union.—The Democratic and Black Republican parties, and that the paramount object of the latter party being to sweep the institution of slavery from the face of the whole country, the future prosperity of the south must depend upon the defeat and overthrow of that party.

Therefore, be it Resolved, By the Legislature of the State of Texas, That in this contest the democratic party standing by the constitution, framed the platform adopted at Cincinnati, in 1856, and that since then the supreme court of the United States having declared that, "the right of property in slaves is distinctly and expressly affirmed in the constitution" and the only power over it conferred upon congress is the power, coupled with the duty of guarding and protecting the owners in their rights, it becomes us in all our published platforms hereafter to make this known to our enemies, the Black Republicans, and to declare to the world that as a great political party, we shall insist upon enforcing the right of protection to slave property in every territorial government of the United States.

Resolved, That we cordially endorse the sentiments of James Buchanan in his late message to congress, he says : "The right has been established of every citizen to take his property of any

kind including slaves, into the common territories, belonging equally to all the States of the confederacy, and to have it protected there under the Federal constitution.

Neither congress nor a territorial legislature, nor any human power has any authority to amend or impair this sacred right.

Resolved, That in the language of James Buchanan, the supreme judicial tribunal of the country which is a co-ordinate branch of the government, has sanctioned and affirmed these principles of constitutional law, so manifestly just in themselves, and so well calculated to promote peace and harmony in the States ; " and this being true, the south would be unfaithful to her trust, if she hesitated to ultimately demand her rights from congress under the decision of that court, after the judiciary of the territory fails to protect them.

Resolved, That we applaud the course of Virginia and the noble Governor of her commonwealth, in defending her soil from the invasions of members of the Black Republican party, and in visiting them with a just retribution for their ignominious crimes, and in doing so we at the same time aver our sincere conviction that the hour has arrived when every southern state should prepare to defend herself against similar aggressions ; and that the legislature of Texas, ought to " put her house in order " by setting apart sufficient monies for the purchase of arms and ammunition to meet all contingencies that may arise from a rupture with the Black Republicans.

Resolved, That standing as we do upon the Cincinnati, the Waco, and Houston conventions, we hail the meeting of the Charleston convention with emotions of the deepest solicitude, and that we will stand by our southern sisters in that convention and endeavor by all means compatible with our obligations under the constitution to form a platform upon which the democracy of the Union, may battle for the election of a President in 1860.

Resolved, That Stephen A. Douglas, has forfeited all claims to the consideration of the democracy for the post of candidate for the Presidency, and that we reject indignantly his squatter sovereign and anti-protection views, in regard to slave property in the territories.

Resolved, That we urge upon all parties to discard at this time, their old political prejudices and join the democratic party, in a common effort to save the constitution and the Union, from the hands of the Black Republicans.

Resolved, That in the election of the Hon. L. T. Wigfall, we see the certain rise of correct views and principles of government, and the success of the democratic party, and that we feel that the

whole State mingles in our rejoicings over the triumphs of our Senatorial nominee

Resolved, That we tender to our retiring Governor, Hon. H. R. Runnels, the proud testimony that he has ably and faithfully discharged his trusts and adhered to his principles as a democrat, and that we look upon his administration as one of the brightest pages in the history of the State. Read 1st and 2nd times and referred to the committee on State Affairs.

On motion of Mr. Rainey, a bill to authorize the formation of county and town Agricultural Societies was taken up. Read and ordered to be engrossed, rule further suspended, bill read 2nd time and referred to the committee on the Judiciary.

Mr. Quinan, chairman of the committee on Education, to whom was referred the bill amendatory of the law to regulate common schools, reported a substitute therefor and recommended its passage.

On motion of Mr. Quinan, the bill with the report of the committee was taken up. Read and ordered to be engrossed, rule further suspended, bill read 3rd time and passed.

Mr. Shepard introduced a bill for the relief of W. A. Bush. Read 1st and 2nd times and referred to the committee on Claims and Accounts.

A bill to change the boundary line between the county of Hardin and Liberty. Read 1st and 2nd times and referred to the committee on County and County Boundaries.

A bill to authorize the county court of Llano county to transcribe certain records. Read 1st and 2nd times and referred to the committee on the Judiciary.

A bill to incorporate the Alamo Fire Association. Read 1st and 2nd times and referred to the committee on the Judiciary.

A bill to incorporate the Texas Mutual Insurance Company at Boston. Read 1st and 2nd times and referred to the committee on the Judiciary.

A bill to revive an act to incorporate the LaGrange Collegiate Institute, approved February 14th, 1852, and to change the name of said Institute to that of "Ewing College. Read 1st and 2nd times and referred to the committee on Education.

The following bills were severally read 1st and 2nd times and referred to the committee on the Judiciary :

A bill to fix the time of holding courts in the nineteenth judicial district.

A bill to incorporate the trustees of the Baptist State Convention.

A bill to repeal an act supplemental to an act entitled an act to change the times of holding the district courts in the tenth

and fourteenth judicial districts, approved February 12th, 1858, and to amend the second section of an act to change the time of holding the district court in the tenth and fourteenth judicial districts, passed July 24th, 1856.

A bill for the relief of Bennet H. Zachary. Read 1st and 2nd times and referred to the committee on Private Land Claims.

A bill for the relief of George Morrison assignee of John Sharp. Read 1st and 2nd times and referred to the committee on Private Land Claims.

A bill to incorporate the Palestine Tap Railway Company. Read 1st and 2nd times and referred to the committee on Internal Improvements.

On motion of Mr. Hart, the resolution of the House to adjourn *sine die* on Monday the 6th day of February, was taken up.

Mr. Hart moved to strike out "6th" and insert "13th."

Mr. Quinan called for a division of the question.

The motion to strike out was then taken and carried by the following vote :

YEAS—Messrs. Blanch, Chambers, Dickinson, Erath, Fall, Gentry, Guinn, Harman, Hart, Hyde, Potter, Rains, Rainey, Scarborough, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—21.

NAYS—Messrs. Duggan, Grimes, Herbert, Lott, Martin, Parsons, Pitts, Quinan and Wallace—9.

Mr. Throckmorton moved to fill the blank with "20th," which was lost by the following vote :

YEAS—Messrs. Blanch, Fall, Gentry, Hyde, Scarborough Throckmorton and Whaley—7.

NAYS—Messrs. Chambers, Dickinson, Duggan, Erath, Grimes, Guinn, Harman, Hart, Herbert, Lott, Martin, Pitts, Potter, Quinan, Rains, Rainey, Shepard, Sims, Stockdale, Townes, Walker and Wallace—22.

Mr. Rainey moved to postpone the resolution until the 10th day of February. Lost by the following votes :

YEAS—Messrs. Blanch, Fall, Gentry, Scarborough, Throckmorton and Whaley—6.

NAYS—Messrs. Chambers, Dickinson, Duggan, Erath, Grimes, Guinn, Harman, Hart, Herbert, Lott, Martin, Parsons, Pitts, Potter, Quinan, Rains, Shepard, Sims, Stockdale, Townes, Walker and Wallace—22.

The question recurring on Mr. Hart's motion to insert "13th" was taken and carried.

On motion of Mr. Fall, a bill to incorporate the Nacogdoches Histronic Society was taken up. Read 2nd time and ordered

to be engrossed, rule suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Herbert, Hyde, Lott, Martin, Parsons, Pitts, Potter, Rains, Rainey, Scarborough, Schleicher, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker, Wallace and Whaley—30.

NAYS—none.

Mr. Throckmorton introduced a bill to appropriate \$4000,00 in addition to the \$60,000,00 for the support of the ranging companies commanded by Capt. John S. Ford, John Henry Brown and James Bourland. Read 1st time, rule suspended, read 2nd time and ordered to be engrossed. Rule further suspended, read 3rd time and passed.

On motion of Mr. Schleicher, a bill supplementary to and amendatory of an act to give each corporate county of this State its own county surveyor, maps, and records, and defining the duties of surveyors, was taken up. Read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

On motion of Mr. Potter, the bill amendatory of the Penal Code was taken up.

Mr. Potter offered the following amendment :

Art. 410 shall hereafter read as follows : All houses commonly known as *public* and all gaming houses, are included within the meaning of the preceding article. Any room attached to such public house and commonly used for gaming is also included, whether the same be kept closed or open. A private room of an inn or tavern is not within the meaning of a public place, unless such room is commonly used for gaming, nor is a private business office or a private residence to be construed within the meaning of a public house or place. Which was adopted by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Erath, Gentry, Grimes, Harman, Hyde, Martin, Parsons, Pitts, Potter, Quinn, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—24.

NAYS—Messrs. Duggan, Quinn, Hart and Sims—4.

The bill was then ordered to be engrossed.

On motion of Mr. Potter, the rule was suspended, bill read 3rd time and passed.

On motion of Mr. Potter, a bill to amend the Code of Criminal Procedure was taken up. Read 2nd time.

In art. 527a, Mr. Parsons moved to strike out the words " of the district attorney." Lost.

Mr. Potter moved to insert title IV. chapter 1. art. 973a: That a jury tax of five dollars shall be charged and allowed in bill of costs in all cases when the defendant is convicted for the use of the county.

Chapter 11. art. 974. In all trials before justices of the peace, Mayors or Recorders for misdemeanors, if the accused shall not be convicted, the person making the complaint may be adjudged to pay the costs of the proceedings, in case the officer before whom the case is tried shall be satisfied that the complaint was without foundation. Adopted.

The bill was then ordered to be engrossed.

On motion of Mr. Potter, the rule was suspended, bill read 3rd time and passed.

On motion of Mr. Hart, Mr. Wallace was excused from attendance on the Senate for the remainder of the session.

On motion of Mr. Gentry, a bill for the relief of Alexander Wheeler was taken up, and passed to a 3d reading. Rule suspended, read 3rd time and passed.

Mr. Guinn by leave, presented the petition of heirs of Henry Whalen, deceased, and the petition of the heirs of Stephen Dennon, which were severally referred to the committee on the Court of Claims.

Mr. Hyde moved to take up a resolution offered by him on a previous day relative to night session. Carried.

Mr. Stockdale offered the following substitute:

Resolved, That the Senate hold night sessions when no business shall be entertained except private local bills, which shall be taken up in their order, and upon which no Senator shall speak more than five minutes on any one question. Adopted.

On motion of Mr. Shepard, a bill to incorporate the Texas Insurance and Saving Fund Company, was taken up. Read 2nd time and ordered to be engrossed.

On motion of Mr. Shepard, the rule was suspended, bill read 3rd time and passed by the following vote:

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Erath, Fall, Grimes, Guinn, Harman, Herbert, Hyde, Lott, Martin, Parsons, Paschal, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Sims, Stockdale and Whaley—25.

NAYS—Messrs. Duggan, Hart, Throckmorton and Walker—4.

Mr. Walker moved to reconsider the vote which amended the resolution of the House to adjourn *sine die* by striking out "6,"

and inserting "13," and to lay that motion on the table until Tuesday the 7th February.

The motion to lay on the table was lost by the following vote:

YEAS—Messrs. Blanch, Britton, Fall, Gentry, Hyde, Paschal, Rainey, Scarborough, Schleicher, Stockdale, Throckmorton, Townes, Walker and Whaley—14.

NAYS—Messrs. Chambers, Dickinson, Duggan, Erath, Grimes, Guinn, Harman, Herbert, Martin, Parsons, Pitts, Potter, Quinan, Ruins, Shepard and Sims—17.

The Senate then refused to reconsider by the following vote:

YEAS—Messrs. Blanch, Britton, Fall, Gentry, Hyde, Paschal, Scarborough, Schleicher, Throckmorton, Townes, Walker and Whaley—12.

NAYS—Messrs. Chambers, Dickinson, Duggan, Erath, Grimes, Guinn, Harman, Hart, Herbert, Lott, Martin, Parsons, Pitts, Potter, Quinan, Ruins, Rainey, Shepard, Sims and Stockdale—20.

On motion of Mr. Grimes, a bill making an appropriation to defray the expenses of the State Penitentiary, was taken up.

Mr Britton offered the following amendment:

Strike out "the sum of twenty-seven thousand dollars for the payment of liabilities incurred by the financial agent in the purchase of the machinery for the use of the State Penitentiary."

Mr. Stockdale proposed the following as a substitute:

"The sum of twenty thousand dollars for the purchase of machinery for the use of the State Penitentiary provided that in said purchase, under this appropriation, shall be included the machinery now in use, procured by the late financial agent, and the disbursing officer of said appropriation is hereby directed to use so much of the same as is necessary to pay for said machinery."

On motion of Mr. Hart, the bill and amendments was made the special order for Tuesday, the 31st inst.

On motion of Mr. Walker, a bill to locate permanently the county seat of Tarrant county, was taken up, and on motion of Mr. Throckmorton, referred to the select committee.

On motion of Mr. Throckmorton, the Senate adjourned until 7 1-2 o'clock P. M.

7 1-2 O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill for the relief of Truman B. Beck, William Custard, Abner Mathews and Abner H. Cook. Read 2nd time and ordered to be engrossed.

On motion of Mr. Townes, the rule was suspended, bill read 3rd time and passed.

The report of the committee on Claims and Accounts, on the petition of John M. Wyatt, recommending its reference to the committee on Finance was adopted.

The report of the committee on County and County Boundaries, on a bill to create the county of Groce, was with said bill on motion of Mr. Gentry, laid on the table.

The report of the committee on the Court of Claims, on the petition of Andrew Danley, asking to be discharged from the further consideration of the same was adopted.

A bill for the relief of Voltaire Roundtree. Read 2nd time and ordered to be engrossed. Rule suspended, bill read 3rd time and passed.

The report of the committee on Public Debt, on the memorial of Mrs. Swartwout, reporting a bill was read. Bill read 2nd time and on motion of Mr. Potter, made the special order for to-morrow night, the 31st inst.

A bill for the relief of H. C. Davis. Read 2nd time and passed to a 3rd reading.

On motion of Mr. Guinn, the rule was suspended, bill read 3rd time and passed.

A bill requiring the Treasurer of the State to refund to Blas Uribe and others, certain monies erroneously collected of them. Read 2nd time and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

A bill to legalize the marriage between William Davis and Sarah James. Read 2nd time and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

The report of the Judiciary committee on a bill to authorize Caleb Wilson to practice law, recommending its rejection, was read and adopted.

The report of the Judiciary committee, on a bill to remove the disabilities of minority from Tomas A. Rodriguez, recommending its rejection, was read and adopted.

The report of the committee on the Judiciary, on a bill to incorporate the town of Meridian in Bosque county, recommending its rejection was read.

On motion of Mr. Erath, the report was laid on the table.

The Senate then refused to pass the bill to a 3rd reading by the following vote :

YEAS—Messrs. Chambers, Duggan, Erath, Fall, Gentry, Guinn, Hyde, Lott, Pitts, Scarborough, Sims and Walker—12.

NAYS—Messrs. Blanch, Dickinson, Grimes, Harman, Hart,

Herbert, Parsons, Paschal, Potter, Quinan, Rains, Rainey, Schleicher, Shepard, Stockdale, Townes and Walker—17.

A bill to relieve O. K. Gibson from the disability of minority, on report of the Judiciary committee, recommending its rejection was read and report adopted.

A bill to legalize the marriage of William H. Slain and Margaret Slain. Read 2nd time and passed to a 3rd reading. Rule suspended, bill read 3rd time and passed.

A bill for the protection of game on Galveston island. Read 2nd time and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

A bill to incorporate the town of Shelbyville, on report of Judiciary committee, recommending its rejection, was read and report adopted.

A bill to incorporate the Galveston Casino. Read 2nd time and passed to a 3rd reading. Rule suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Erath, Fall, Gentry, Grimes, Guinn, Harman, Herbert, Hyde, Lott, Martin, Parsons, Paschal, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—29.

NAYS—Messrs. Duggan and Sims—2.

A bill to change the name of Susan Allford to Susan Bell and permit Abigail Bell to adopt her. Read 2nd time and passed to a 3rd reading. Rule suspended, bill read 3rd time and passed.

A bill for the relief of Louis Bouillett and Hetty O. Kolhman. Read 2nd time and passed to a third reading. Rule suspended, bill read 3rd time and passed.

A bill to legalize the unconditional headright certificate of John Jordan. Read 2nd time and passed to a 3rd reading, rule suspended, bill read 3rd time and passed.

A bill for the relief of the assignees of John Hennecke. Read 2nd time and ordered to be engrossed, rule suspended, bill read third time and passed.

The report of the committee on Claims and Accounts on the petition of Conrad Stremme, recommending its rejection, was read and adopted.

The report of the committee on Claims and Accounts, on the memorial of C. G. Keenan, recommending its rejection was read.

Mr. Lott moved to lay the report on the table. Lost.

The report was then adopted.

A bill to amend an act to incorporate the city of San Antonio

on a report of the committee on the Judiciary, recommending its rejection.

On motion of Mr. Paschal, taken from the table, and on motion of Mr. Hyde, the bill was re-referred to the Judiciary committee.

A bill to incorporate the Trinity Valley Railroad Company.—Read 2nd time and passed to a 3rd reading, rule suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Herbert, Hyde, Martin, Parsons, Paschal, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Townes, Walker and Whaley—25.

NAYS—Messrs. Guinn, Harman, Hart, Lott, Sims and Throckmorton—6.

A bill to incorporate Bois D'Arc Lodge, No. 36, I. O. O. F. at Clarksville. Read 2nd time and passed to a 3rd reading.

On motion of Mr. Sims, the rule was suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Britton, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Lott, Martin, Paschal, Pitts, Potter, Quinan, Rains, Scarborough, Schleicher, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—27.

NAYS—none.

A bill to amend the 1st, 2nd and 13th sections of an act to incorporate the Texas Life Fire and Marine Insurance Company of the city of Galveston. Read 2nd time and ordered to be engrossed, rule suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Lott, Martin, Paschal, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—28.

NAYS—none.

A bill to change the name of Mary Walch, to Mary Payne, on report of Judiciary committee recommending its rejection.

On motion of Mr. Townes, the report was laid on the table, and bill ordered to be engrossed, rule suspended, bill read 3rd time and passed.

A bill to incorporate the Waco Female College, on report of the committee on Education recommending amendments, read, amendments adopted, and bill ordered to be engrossed, rule suspended bill read 3rd time and passed by the following vote :

YAES—Messrs. Blanch, Britton, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Martin, Parsons, Paschal, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—31.

NAYS—none.

A message was received from the House, that the House had passed the following Senate bills :

A bill relinquishing the title of the State to certain lands therein named to William M. Love.

A bill to amend an act to incorporate Bastrop Academy, approved February 7, 1853, and an act to amend the same approved January 1858.

A bill supplementary to an act to provide for distributing the reports of the supreme court, the laws of the State and journals of the Legislature.

A bill making an appropriation to defray the expense of selling the University lands.

And the following House bills :

A bill to fix the time of holding courts in the 19th judicial district.

A bill for the relief of Bennett H. Zachary.

A bill to incorporate the Palestine Tap Railway Company.

And the following bills originating in the Senate :

A bill in relation to the pay of grand and petit jurors in Harrison county.

A bill to authorize and require the county courts of the several counties of the State of Texas to furnish the county surveyors of their respective counties with books of record.

A bill making an appropriation for repairing the capitol and other public buildings.

A bill to create the board of commissioners of public grounds and buildings.

A bill to define the homestead in a town or city.

A bill concerning common carriers and defining their liabilities

A bill to reorganize the 16th judicial district, and to define the time of holding courts therein.

And had concurred in the amendments of Senate to resolution to adjourn *sine die*.

Also House bill to encourage the establishment of manufactories in Texas.

And a House bill for the protection of the Alabama Indians.

A bill for the relief of James W. Parker. Read 2nd time.

Mr. Guinn moved the indefinite postponement of the bill,

upon which the yeas and nays were called and stood thus :

YEAS—Messrs. Dickinson, Duggan, Guinn, Harman, Hart, Hyde, Quinan, Sims and Throckmorton—9.

NAYS—Messrs. Blanch, Britton, Erath, Gentry, Grimes, Herbert, Lott, Martin, Parsons, Paschal, Pitts, Potter, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Townes, Walker and Whaley—21.

Mr. Harman offered the following amendment :

“And to John B. Denton’s heirs, for the death and services of their father one league of land” which was laid, by the following vote, on the table, upon Mr. Rainey’s motion :

YEAS—Messrs. Blanch, Britton, Dickinson, Erath, Grimes, Herbert, Hyde, Lott, Parsons, Paschal, Pitts, Potter, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Townes, Walker and Whaley—21.

NAYS—Messrs. Duggan, Gentry, Guinn, Harman, Hart, Hyde, Martin, Quinan, Sims and Throckmorton—9.

Mr. Guinn moved to strike from the bill all that portion which assigns reasons why this donation is made.

Mr. Rainey moved to lay the motion on the table.

Mr. Hart moved to lay the bill and amendment on the table, which was lost by the following vote :

YEAS—Messrs. Dickinson, Duggan, Grimes, Guinn, Harman, Hart, Hyde, Quinan, Sims and Throckmorton—10.

NAYS—Messrs. Blanch, Britton, Erath, Gentry, Herbert, Lott, Martin, Parsons, Paschal, Potter, Rains, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Townes and Whaley—19.

The question was taken on Mr. Rainey’s motion to lay the amendment on the table and lost.

The motion of Mr. Guinn was then put and carried.

Mr. Hart offered the following amendment :

“And to Hugh Cox of Fannin county for redeeming his two brothers from captivity—— league of land.”

Mr. Rainey moved to lay the amendment on the table, upon which Mr. Hart moved a call of the Senate, which was sustained.

And a question of order arose whether Mr. Rainey’s motion was in order.

Mr. Hart, having given notice when he proposed the amendment that he would speak to it.

The President ruled, that Mr. Rainey’s motion was in order, from which decision, Mr. Hart appealed and upon that appeal Mr. Gentry moved a call of the Senate, which was sustained.

Mr. Grimes moved to adjourn until 10 o'clock, A. M., to-morrow, which was lost by the following vote :

YEAS—Messrs. Britton, Duggan, Erath, Grimes, Guian, Harman, Hart, Herbert, Martin, Quinan, Rains, Sims, Throckmorton and Walker—14.

NAYS—Messrs. Blanch, Dickinson, Gentry, Hyde, Lott, Parsons, Paschal, Pitts, Potter, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Townes and Whaley—16.

Mr. Harman moved to adjourn until 9 1-2 o'clock, A. M., to-morrow.

Mr. Stockdale moved to adjourn until 1 minute to 10 o'clock, A. M., to-morrow. Carried by the following vote :

YEAS—Messrs. Dickinson, Duggan, Guinn, Harman, Hart, Herbert, Hyde, Lott, Martin, Parsons, Quinan, Rains, Sims, Stockdale, Throckmorton and Walker—16.

NAYS—Messrs. Blanch, Erath, Gentry, Paschal, Pitts, Potter, Rainey, Scarborough, Schleicher, Shepard, Townes and Whaley—12.

THURSDAY, January 31st, 1860.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

A message was received that the House had passed the following Senate bills :

A bill to incorporate the Guadalupe Male and Female College.

A bill to amend an act for the relief of Nathaniel Prescott, R. S. Wheat and G. L. M. Gaughey.

A bill for the relief of the heirs of John Gates.

A bill for the relief of Ewing Clayton.

A bill supplementary to an act to provide for registry of deeds, and other instruments of writing, and the following House bills :

A bill to regulate the duties of the Commissioner of the General Land Office, and to define the duties of clerks and employees therein.

A bill providing for the investment of the sinking fund.

A bill to incorporate the Casino Association of La Grange.

A bill to reorganize the thirtieth judicial district and to fix the time of holding courts therein.

Joint Resolution proposing an amendment to the constitution.

A bill authorizing the Board of Aldermen of the town of